

NOV 09 2016

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

WILLIE CLARENCE SWIMPSON,  
Plaintiff,

v.

WESTERN VA REGIONAL JAIL  
MEDICAL DEPT., et al,  
Defendant(s).

Civil Action No. 7:16-cv-00434

MEMORANDUM OPINION

By: Norman K. Moon

United States District Judge

Willie Clarence Swimpson, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered October 24, 2016, the court advised plaintiff that his complaint failed to state a claim against the named defendants and as a result the court directed plaintiff to submit within 10 days from the date of the Order an amended the complaint to correct the deficiencies. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 10 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 9th day of November, 2016.

*[Signature]*  
United States District Judge